

1 **HUNTER PYLE, SBN 191125**
2 **TANYA P. TAMBLING, SBN 262979**
3 HUNTER PYLE LAW
4 428 Thirteenth Street, 11th Floor
5 Oakland, California 94612
6 Telephone: (510) 444-4400
7 Facsimile: (510) 444-4410
8 hunter@hunterpylelaw.com, ttambling@hunterpylelaw.com

9 Attorneys for Plaintiff
10 BARBARA PERRY

11 *[Additional Counsel on the Next Page]*

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 BARBARA PERRY,
15
16 Plaintiff,

17 vs.

18 PERDUE FOODS, LLC and COLEMAN
19 NATURAL FOODS, LLC,
20
21 Defendants.

CASE NO.: 3:17-cv-03502-JST
18-cv-02664-JST

JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO CONDUCT
THE DEPOSITION OF RYAN
JACOBSON AFTER THE
DISCOVERY CUT-OFF

Complaint filed: June 16, 2017
Trial date: June 10, 2019

1 **ALEX G. TOVARIAN, SBN 264547**
2 LAW OFFICES OF ALEKSEY G. TOVARIAN
3 50 California Street, Ste. 3325
4 San Francisco, CA 94111
5 Telephone: (415) 984-9990
6 Facsimile: (415) 520-5830
7 tovarianlaw@gmail.com

8 Attorneys for Plaintiff
9 BARBARA PERRY

10 **MICHAEL A. HOOD, SBN 71258**
11 **ERIN W. KENDRELLA, SBN 273504**
12 JACKSON LEWIS P.C.
13 200 Spectrum Center Drive, Ste. 500
14 Irvine, CA 92618
15 Telephone: (949) 885-1360
16 Facsimile: (949) 885-1380
17 michael.hood@jacksonlewis.com, erin.kendrella@jacksonlewis.com

18 Attorneys for Defendant
19 PERDUE FOODS LLC dba Coleman Natural Foods
20 (erroneously sued as Coleman Natural Foods, LLC)
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1 Plaintiff BARBARA PERRY ("Plaintiff") and Defendant PERDUE FOODS LLC
2 dba Coleman Natural Foods (erroneously sued as Coleman Natural Foods, LLC)
3 ("Defendant"), by and through their counsel of record, hereby jointly stipulate that the
4 deposition of Ryan Jacobson may be conducted after the December 14, 2018, discovery
5 cut-off, due to his unavailability.

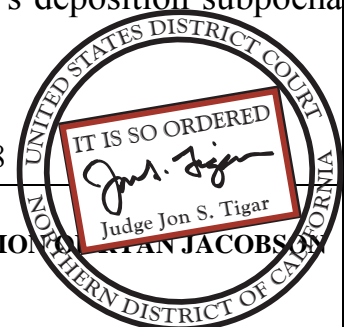
6 On October 25, 2018, defense counsel spoke with Ryan Jacobson about the
7 possibility of his deposition. At this time, Mr. Jacobson informed defense counsel that he
8 currently resides in Portland, Oregon. Mr. Jacobson further informed defense counsel
9 that he would make himself available for his deposition the week of December 10, 2018.
10 Therefore, the Parties agreed and stipulated to conducting his deposition on December
11 12, 2018. (See Docket Number 48: Joint Stipulation and Order for Deposition Schedule
12 and 30(b)(6) Topics.)

13 However, on November 9, 2018, defense counsel spoke again with Mr. Jacobson
14 and he explained that he was not available for his deposition the week of December 10,
15 2018, because of a family obligation. Furthermore, Mr. Jacobson conveyed that it would
16 be very difficult to schedule time for his deposition anytime between now and December
17 14, 2018, because he has previously scheduled work trips to Ohio and Los Angeles, along
18 with the Thanksgiving holiday during this time. Therefore, Mr. Jacobson requested for
19 his deposition to be conducted after January 1, 2019, on a mutually agreeable date for
20 him and the Parties.

21 As Mr. Jacobson is unavailable prior to the December 14, 2018, discovery cut-off,
22 the Parties agree and stipulate that Mr. Jacobson's deposition may be conducted after
23 December 14, 2018. The parties further agree that Mr. Jacobson's deposition subpoena
24 may be served on defense counsel by email.

25 Dated: November 13, 2018

PERRY v. PERDUE FOODS, LLC, et al.
JOINT STIPULATION AND [PROPOSED] ORDER TO CONDUCT THE DEPOSITION OF
AFTER THE DISCOVERY CUT-OFF



1 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
2
3

4 DATED: November 13, 2018

/s/

Tanya Tambling
Attorney for Plaintiff

7 DATED: November 13, 2018

/s/

Erin Kendrella
Attorney for Defendant

10 IT IS SO ORDERED.

11 Dated:

Hon. Jon S. Tigar
United States District Judge